(e), the Secretary may request the Attorney General of the United States to bring an action in an appropriate United States district court to obtain a monetary judgment against the mortgagor and such other relief as may be available. The monetary judgment may, in the court's discretion, include the attorneys fees and other expenses incurred by the United States in connection with the action. In an action under this subsection, the validity and appropriateness of the Secretary's determination or order imposing the penalty shall not be subject to review.

"(g) SETTLEMENT BY SECRETARY.—The Secretary may compromise, modify, or remit any civil money penalty which may be, or has been, imposed under this section.

"(h) DEFINITION OF KNOWINGLY.—The term 'knowingly' means having actual knowledge of or acting with deliberate ignorance of or reckless disregard for the prohibitions under this section.

"(i) REGULATIONS.—The Secretary shall issue such regulations as the Secretary deems appropriate to implement this section.

"(j) DEPOSIT OF PENALTIES IN INSURANCE FUNDS.—Notwithstanding any other provision of law, all civil money penalties collected under this section shall be deposited in the fund established under section 201(j) of the Housing and Community Development Amendments of 1978.".

(2) APPLICABILITY.—The amendment made by subsection (a) shall apply only with respect to violations referred to in the amendment that occur on or after the effective date of this section.

(3) CONFORMING AMENDMENT.—Section 201(j)(2) of the Housing and Community Development Amendments of 1978 is amended—

(4) by striking "and" before "(D)"; and

(5) by inserting before the period at the end the following:

", and (E) any amount received by the Secretary pursuant to section 537 of the National Housing Act and section 202a of the Housing Act of 1959".

SEC. 110. CIVIL MONEY PENALTIES AGAINST GNMA ISSUERS.

(a) IN GENERAL.—Title III of the National Housing Act is amended by adding at the end the following new section:

"CIVIL MONEY PENALTIES AGAINST ISSUERS

"SEC. 317. (a) IN GENERAL.—

"(1) AUTHORITY.—Whenever an issuer or custodian approved under section 306(g) knowingly and materially violates any provisions of subsection (b), the Secretary

of Housing and Urban Development may impose a civil money penalty on the issuer or the custodian in accordance with the provisions of this section. The penalty shall be in addition to any other available civil remedy or any available criminal penalty and may be imposed whether or not the Secretary imposes other administrative sanctions.

12 USC 1701q-1 note.

"(2) AMOUNT OF PENALTY.—The amount of the penalty, as determined by the Secretary, may not exceed $5,000 for each violation, except that the maximum penalty for all violations by a particular issuer or custodian during any one-year period shall not exceed $1,000,000. Each violation of a provision of subsection (b)(3) shall constitute a separate violation with respect to each pool of mortgages. In the case of a continuing

12 USC 1715z-1a.

Loans.

12 USC 1723i.